

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA**

<b>UNITED STATES OF AMERICA</b>	)	
	)	<b>Case No. 1:18-cr-45</b>
<b>v.</b>	)	<b>Judge Collier</b>
	)	<b>Magistrate Judge Lee</b>
<b>CHE'ANTHONY CANNON</b>	)	

**FACTUAL BASIS FOR PLEA**

Comes now the United States of America by and through United States Attorney J. Douglas Overbey, and Assistant United States Attorney Kyle J. Wilson, and submits the following summary of the United States' evidence in support of the defendant Che'Anthony Cannon's ("Cannon" or "the defendant,") plea to Count One of the Indictment:

(a) February 18, 2018, Chattanooga Police Department ("CPD") Detectives Gunn and Bradley encountered defendant Che'Anthony Cannon stepping out of a vehicle in the Alton Park area of Chattanooga, Tennessee, located in the Eastern District of Tennessee. Officers recognized him and knew that he had outstanding warrants.

(b) Officers arrested the defendant pursuant to the outstanding warrants. While patting him down, officers found a pink Charter Arms "Pink Lady" .38-caliber pistol (S/N 16-00209). It was in the defendant's pocket.

(c) In post-*Miranda* statements, the defendant make a number of inculpatory statements, including statements detailing his possession of the firearm and the circumstances by which he came to possess it.

(d) If this case had proceeded to trial, an expert would have testified that the above-referenced firearm meets the definition of a “firearm” as set forth in 18 U.S.C. § 921(a)(3).

(e) If this case had proceeded to trial, an expert would have testified that the above-referenced firearm was manufactured outside the State of Tennessee and did travel in and affect interstate commerce.

(f) At the time the defendant committed the above-referenced acts, he was a convicted felon. Specifically, he had at least the following felony conviction:

- **Aggravated Assault (2017)**

### **ELEMENTS OF THE OFFENSE**

#### **Count One:**

- a) The defendant was a convicted felon, that is, he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year;
- b) The defendant knowingly possessed a firearm; and
- c) The firearm traveled in or affected interstate commerce.

### **PENALTIES**

The punishment for this offense is as follows.

If the defendant is not determined to be an Armed Career Criminal: imprisonment for a term of up to ten years; a fine of up to \$250,000; supervised release for up to three years; and a \$100 special assessment.

If the defendant is determined to be an Armed Career Criminal: imprisonment for a term of not less than fifteen years to a maximum of life; a fine of up to \$250,000; supervised release for up to five years; and a \$100 special assessment.

Respectfully submitted,

J. DOUGLAS OVERBEY  
United States Attorney

By: /s/ Kyle J. Wilson  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that on November 9, 2018, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by either regular U.S. mail or inter-office delivery. Parties may access this filing through the Court's electronic filing system.

/s/ Kyle J. Wilson  
Kyle J. Wilson  
Assistant United States Attorney